

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PENDLETON DIVISION

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JOANN MARIA REYES,

Plaintiff,

Civil No. 2:18-cv-01487-YY

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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Order Awarding Attorney's Fees  
pursuant to the Equal Access to Justice Act,  
28 U.S.C. § 2412(d)

Before the Court is the Motion of Plaintiff, Joanna Maria Reyes, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as the position of the defendant commissioner, if any, and recognizing the Plaintiff's waiver of direct payment and assignment of EAJA to her counsel,

**IT IS HEREBY ORDERED** that attorney fees, expenses, and costs in the total amount of Six Thousand One Hundred Nine Dollars and Seventy-Seven Cents (\$6,109.77) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

1. Plaintiff is awarded 2.8 hours in 2018 at \$201.60 per hour in the amount of \$564.48 for attorney's fees under 28 U.S.C. § 2412(d);
2. Plaintiff is awarded 23.3 hours in 2019 at \$204.25 per hour in the amount of \$4,759.03 for attorney's fees under 28 U.S.C. § 2412(d);
3. Plaintiff is awarded 7.7 hours at \$100.00 per hour in the amount of \$770.00 for Paralegal Services.
4. Plaintiff is awarded \$16.62 in expenses for Certified Mail for service of Summons and Complaint.

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset

Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, Edward A. Wicklund.

Whether the check is made payable to Plaintiff or to Edward A. Wicklund, the check shall be mailed to Edward A. Wicklund at the following address:

250 South Clinton Street  
Suite 210  
Syracuse, NY 13202

So ordered.

Date: November 14, 2019

/s/ Youlee Yim You  
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Youlee Yim You  
United States Magistrate Judge